

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NELSON LLAVATA,

Plaintiff,

vs.

COLE MORROW, *et al.*,

Defendants.

Case No. 2:11-cv-00250-GMN-CWH

ORDER

This matter is before the Court on Plaintiff's Motion for Subpoena Duces Tecum (#30), filed December 30, 2011.

Plaintiff is a prisoner in the custody of the Nevada Department of Corrections (NDOC) and currently housed in the Lovelock Correctional Center. On April 11, 2011, Plaintiff was granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. On May 31, 2011, the Court entered its screening order finding that Plaintiff had pled facts sufficient to support his Eighth Amendment claim for deliberate indifference to his medical needs. *See* Screening Order (#8).

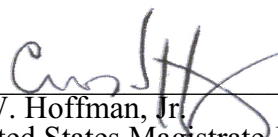
By way of this motion, Plaintiff requests that the Court grant his motion for a subpoena duces tecum to obtain his medical records for treatment he received at High Desert State Prison on May 18, 2010 and October 10, 2010. It appears the request is being made pursuant to Federal Rule of Civil Procedure 45. The Court will not grant the request until Plaintiff provides the necessary information identified in Rule 45, including (1) the name of each person or entity from whom information is requested and (2) the specific documents or category of documents sought.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Subpoena Duces Tecum (#30) is

1 **denied without prejudice.**

2 DATED this 20th day of January, 2012.

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5 C.W. Hoffman, Jr.
6 United States Magistrate Judge
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